

THE HONORABLE JOHN H. CHUN

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

JESSICA BAILEY, MARTYE BENJAMIN,
FERNANDO GARCIA, ANDRES GOMEZ,
LATRESA GRANTHAM, and MIKE
MAGBALETA on behalf of themselves and a class
of similarly situated persons,

Plaintiffs,

v.

T-MOBILE USA, INC.,

Defendant.

No. 2:23-cv-00211-JHC

**STIPULATION AND ORDER TO
EXTEND TIME TO ANSWER
COMPLAINT**

Under Western District of Washington Local Rules 7(d)(1) and 10(g), Plaintiffs Jessica Bailey, Martye Benjamin, Fernando Garcia, Andres Gomez, Latresa Grantham, and Mike Magbaleta and Defendant T-Mobile USA, Inc., (collectively “the Parties”), stipulate that T-Mobile’s deadline to answer or otherwise respond to the Complaint is extended for a total of 30 days after the Judicial Panel on Multidistrict Litigation (“JPML”) issues a ruling on the pending motion to transfer related cases for coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407. *See In re T-Mobile 2022 Customer Data Sec. Breach Litig.*, MDL Docket No. 3073

STIPULATION AND ORDER TO EXTEND TIME
TO ANSWER COMPLAINT
(No. 2:23-cv-00211-JHC) - 1

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

(J.P.M.L. filed Feb. 8, 2023) (ECF No. 1). The Parties further stipulate that if T-Mobile files a motion directed at the Complaint, Plaintiffs will have 30 days to respond to that motion.

Good cause exists for this extension because, as described above, the JPML currently is considering a motion to transfer this case, among others, for consolidated pretrial proceedings. *See generally id.* The extension will conserve judicial resources by allowing T-Mobile to continue discussions with Plaintiffs' counsel here and counsel in the related cases regarding the most efficient path forward before the JPML's ruling. This extension will also allow the Parties to know which district court's local rules will control this case before T-Mobile responds to Plaintiffs' Complaint.

Dated: March 6, 2023

By: /s/Thomas E. Loeser

Thomas E. Loeser
**HAGENS BERMAN SOBOL SHAPIRO
 LLP (WA)**

1391 2nd Avenue, Suite 2000
 Seattle, WA 98101
 Telephone: 206.623.7292
 Facsimile: 206.623.0594
 E-Mail: TomL@hbsslw.com

Attorney for Plaintiffs

By: /s/ Lauren J. Tsuji

Lauren J. Tsuji, WSBA No. 55839
PERKINS COIE LLP
 1201 Third Avenue, Suite 4900
 Seattle, WA 98101-3099
 Telephone: 206.359.8000
 Facsimile: 206.359.9000
 Email: LTsuji@perkinscoie.com

Kristine McAlister Brown (*Pro Hac Vice
 Forthcoming*)
 Donald Houser (*Pro Hac Vice Forthcoming*)
ALSTON & BIRD LLP
 1201 West Peachtree Street
 Atlanta, GA 30309
 Telephone: (404) 881-7000
 Facsimile: (404) 881-7777
 E-Mail: kristy.brown@alston.com
 donald.houser@alston.com

*Attorneys for Defendant
 T-Mobile USA*

ORDER

IT IS SO ORDERED.

Dated this 6th day of March 2023.



Hon. John H. Chun
U.S. District Court Judge

Presented By:

Lauren J. Tsuji, WSBA No. 55839

PERKINS COIE LLP

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206.359.8000

Facsimile: 206.359.9000

Email: LTsuji@perkinscoie.com

Kristine McAlister Brown (*Pro Hac Vice
Forthcoming*)

Donald Houser (*Pro Hac Vice Forthcoming*)

ALSTON & BIRD LLP

1201 West Peachtree Street

Atlanta, GA 30309

Telephone: (404) 881-7000

Facsimile: (404) 881-7777

E-Mail: kristy.brown@alston.com

donald.houser@alston.com

*Attorneys for Defendant
T-Mobile USA, Inc.*

STIPULATION AND ORDER TO EXTEND TIME
TO ANSWER COMPLAINT
(No. 2:23-cv-00211-JHC) - 3

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000